

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Erb et al.) Docket: 25045-17
Serial No.: 10/575,212)
Filing Date: 9/29/2004) Examiner: Inyard
Title: FLAT SEALING MATERIAL IN THE) Group Art Unit: 1794
FORM OF A REINFORCED COMPOSITE)
FILM) Confirmation No.: 6896
)

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The inventors, Wilfried Erb and Peter Ubelmesser, of the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, U.S. Pat. Appl. No. 10/554,456, which Wilfried Erb and Peter Ubelmesser, are also the inventors of. The inventors hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing from the prior patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the inventors, any grantee, successors or assigns.

In making the above disclaimer, the inventors do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Please charge the Terminal Disclaimer Fee of \$310 under 37 CFR 1.20(d) or any deficiencies, or deposit any credits, to deposit account number 08-0719.

The undersigned is an attorney or agent of record.

October 19, 2008

Respectfully submitted,

Joseph T. Guy, Ph.D.
Agent for Applicants
Customer No.: 46591